UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/659,363	09/12/2000	Troy Eric Echols	Echols2	4841

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EXAMINER
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ART UNIT	PAPER NUMBER
2663	

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)	
Office Action Summary		09/659,363	ECHOLS, TROY ERIC	
		Examiner	**Art Unit**	
		Richard Chang	2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 September 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *9/12/2000* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they

do not include the necessary text descriptions for the decision paths: ***208 to 210*** and ***208 to 209***

mentioned in the specification are missing in Fig. 2A.

2. A proposed drawing correction or corrected drawings are required in reply to the

Office action to avoid abandonment of the application. The objection to the drawings will not be

held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by US

patent No. 6,353,660 ("Burger et al").

Regarding claims 1 and 11, Burger et al teach an Enhanced Services Platform (ESP) 60

with many execution procedures in a processing unit connecting to a circuit switched network

72 and to a packet network 74 (A packet terminal device addressing system) (See Fig. 1, Col. 4,

lines 1-12), where a caller places a call to a subscriber which includes at least a web browser

and a internet packet phone using a public telephone number that terminates at the ESP which is addressable via an IP address (enabling a calling party using a circuit based terminal device ...addressable via an IP address) comprising a database storing a table that associates a public telephone number and a private URL for each subscriber, (means for storing data in a memory... terminal device) (See Fig. 2, Col. 7, lines 21-33), an execution procedure in the ESP retrieving from the database a private URL of the particular subscriber when a call is received (means, responsive to receipt of data from said calling party... said IP address assigned to a called party's packet-based terminal device) (See Col. 6 , lines 36-59), and an execution procedure accessing the particular subscriber based on the particular subscriber private URL to establish an audio connection via the communication medium (means for establishing a communication... to said called party's packet-based terminal device) (See Col. 7, lines 21-43).

Regarding claims 2 and 12, Burger et al further teach that the ESP, via the packet-based network and the ISP, sends a message informing the subscriber that they have an incoming call (means for transmitting said IP address...said called party's packet-based terminal device) (See Col. 7, lines 44-60).

Regarding claims 3 and 13, Burger et al further teach that the ESP determines if the subscriber is logged-on to the ISP via a query and the ESP accesses the particular subscriber based on the particular subscriber private URL to establish an audio connection via the communication medium (means, responsive to receipt of a message from one of said at least one packet-based...said at least one packet-based communication service) (See Col. 7, lines 34-43).

Regarding claims 4 and 14, Burger et al further teach a database stores a table associating the public telephone numbers with private packet-network addresses (means for storing a set of data...a called party's packet-based terminal devices) (See Fig. 6, See Col. 11, lines 12-21).

Regarding claims 5 and 15, Burger et al further teach the ESP provides an prompting message to the caller after retrieving a database storing the public URLs and the private subscriber IP addresses for the subscribers (means for providing said...called party's packet based terminal devices) (See Fig. 4, Col. 12, lines 39-65), and the ESP identifies the particular public packet network address for the subscriber based on the public packet network address (means, responsive to said calling party ...serving said called party's packet-based terminal device) (See Fig. 6, Col. 11, lines 12-30).

Regarding claim 6, Burger et al further teach a method for an Enhanced Services Platform (ESP) 60 (A method of operating a packet based terminal ... addressable via an IP address) comprising the steps of a database storing a table that associates a public telephone number and a private URL for each subscriber, (means for storing data in a memory... terminal device) (See Fig. 2, Col. 7, lines 21-33), the ESP retrieving from the database a private URL of the particular subscriber on the basis of the particular public telephone number when a call is received (retrieving, in response to receipt of data ... called party's packet-based terminal device) (See Col. 7 , lines 20-33), and accessing the particular subscriber based on the particular subscriber private URL to establish an audio connection via the communication medium (establishing a communication... called party's packet-based terminal device) (See Col. 7, lines 21-43).

Regarding claim 7, Burger et al further teach the step that the ESP, via the packet-based network and the ISP, sends a message informing the subscriber that they have an incoming call (transmitting said IP address...said called party's packet-based terminal device) (See Col. 7, lines 44-60).

Regarding claim 8, Burger et al further teach the step that the ESP determines if the subscriber is using a presence client, the ESP determines that the subscriber is logged in, with an active connection to the ESP (extending, in response to receipt of a message ...said at least one packet-based communication service) (See Col. 7, lines 34-43).

Regarding claim 9, Burger et al further teach the step that the database stores a table associating the public telephone numbers with private packet-network addresses (means for storing a set of data...a called party's packet-based terminal devices) (See Fig. 6, See Col. 11, lines 12-21).

Regarding claim 10, Burger et al further teach the steps that the ESP provides an prompting message to the caller after retrieving a database storing the public URLs and the private subscriber IP addresses for the subscribers (means for providing said...called party's packet based terminal devices) (See Fig. 4, Col. 12, lines 39-65), and the ESP identifies the particular public packet network address for the subscriber based on the public packet network address (means, responsive to said calling party ...serving said called party's packet-based terminal device) (See Fig. 6, Col. 11, lines 12-30).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Chang whose telephone number is 703-605-4398. The examiner can normally be reached on Monday - Friday from 8 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T Nguyen can be reached on 703-308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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